CONTINGENCY CONTRACTING

FOR DEPLOYING FORCES

DEPLOYMENT REFRENCES

- **2001 OPLAW Handbook**

  Ch. 13: Deployment Contracting

  CH. 12: Fiscal Law

- **Joint Pub. 1-06, 22 Dec 1999**
- **Joint Pub. 4-0, 6 Apr. 2000**

DEPLOYMENT CONTRACTING

ROADMAP

- **Planning for Deployment**
- **Methods of Acquisition**
- **SAP/LOGCAP**

INTRODUCTION

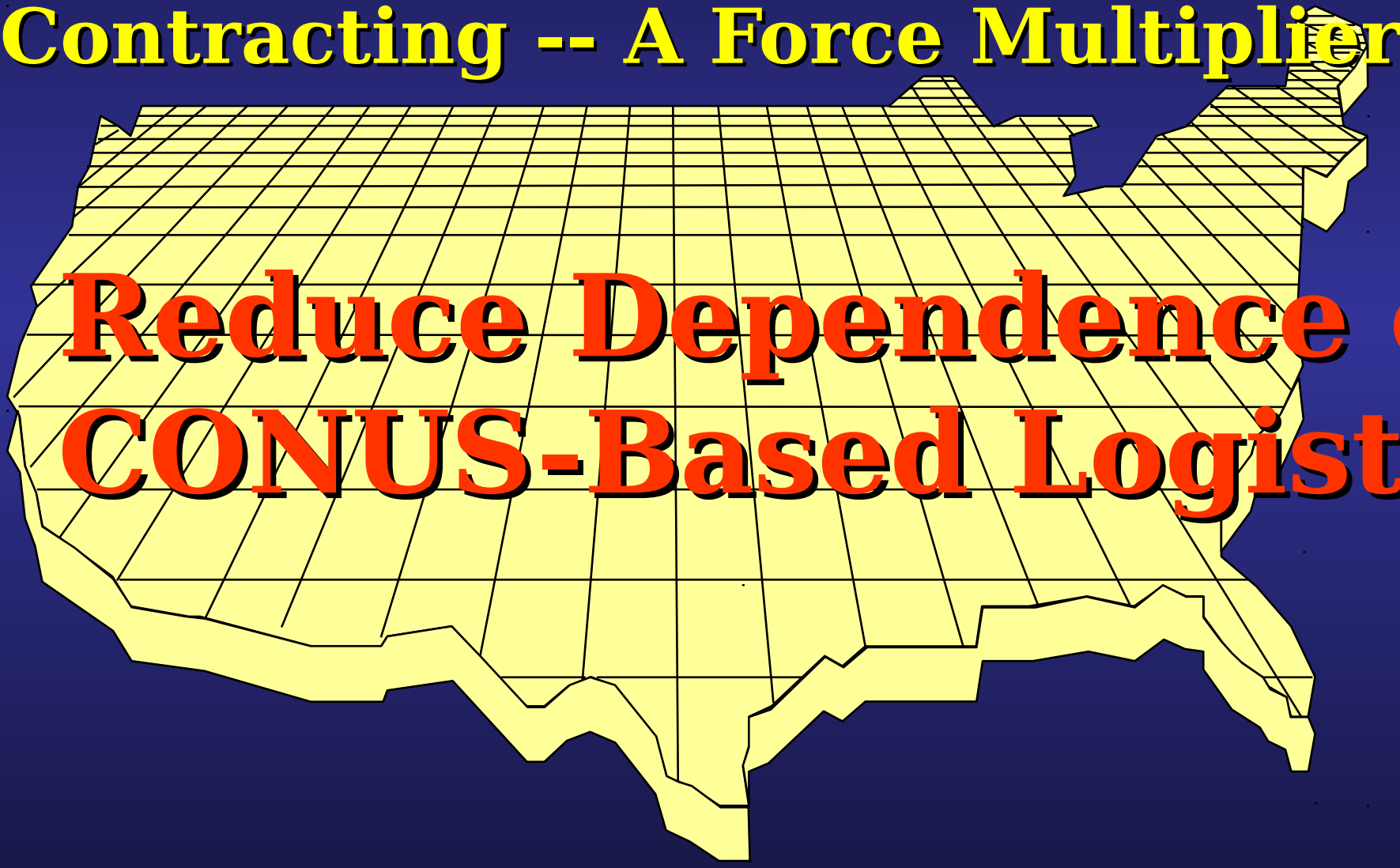
Priority of Sources of Support

- Organic CS/CSS Assets
- Allied Forces CS/CSS Assets
- Host Nation Capabilities
- US Contingency KO's
- Umbrella Contracts

  LOGCAP, AFCAP, CONCAP

INTRODUCTION

Contracting -- A Force Multiplier

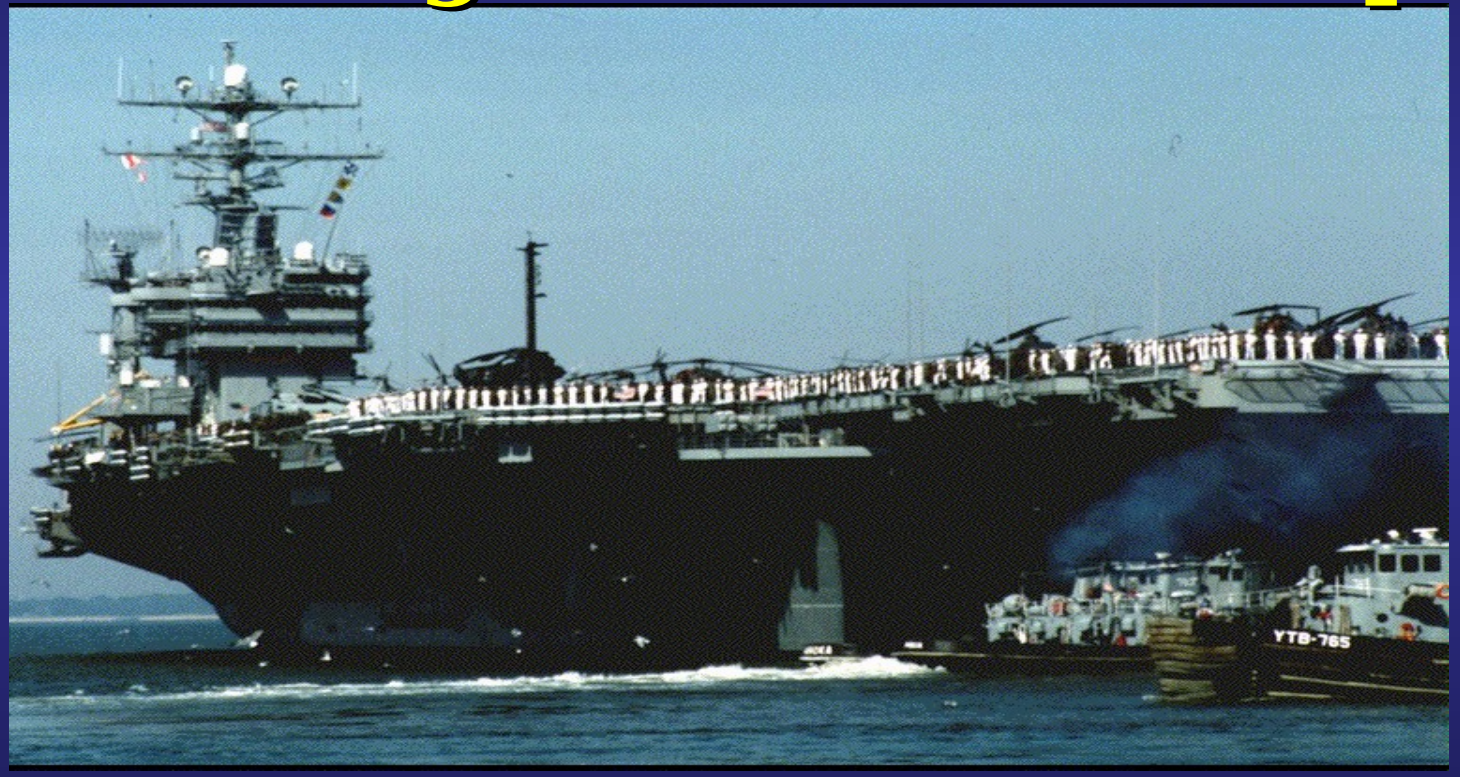


Reduce Dependence o

CONUS-Based Logisti

INTRODUCTION

Contracting -- A Force Multiplier



Free Airlift & Sealift Assets for Other Needs

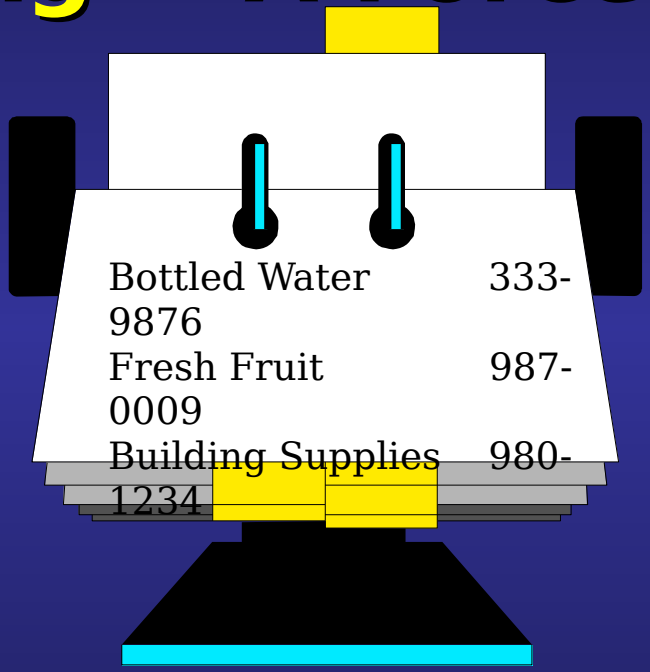
INTRODUCTION

Contracting -- A Force Multiplier

Reduce Lead Time for
Acquiring Supplies & Services

INTRODUCTION

Contracting -- A Force Multiplier



Provide Alternate Sources

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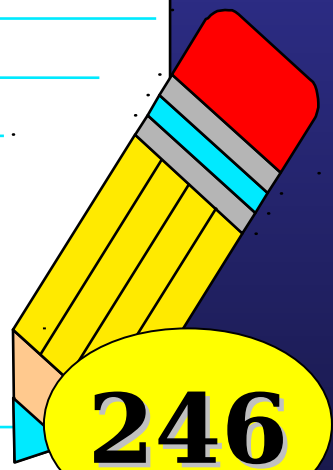
APPLICABLE LAW

- International Law
  - Law of War
  - Law of Peace
  - Int'l Agreements
- U.S. Contract & Fiscal Law

PREPARATION - DEPLOYMENT K'TING

General Considerations

- CINC or JTF Will Set Policies & Procedures
- Read OPLANS & Annexes
- Identify Contracting Elements
- Timing of Departures



PREPARATION - DEPLOYMENT K'TING

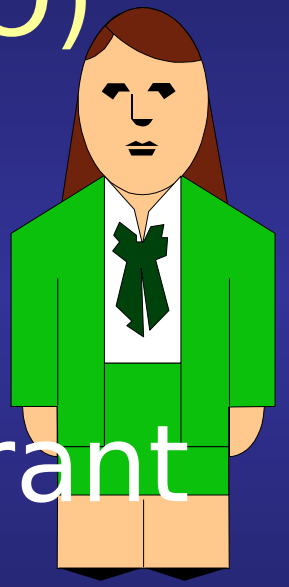
Personnel Assets

- Contracting Officers
- Ordering Officers
- Legal Personnel
- Support

PREPARATION - DEPLOYMENT K'TING

Personnel Assets

Contracting Officers (KO)



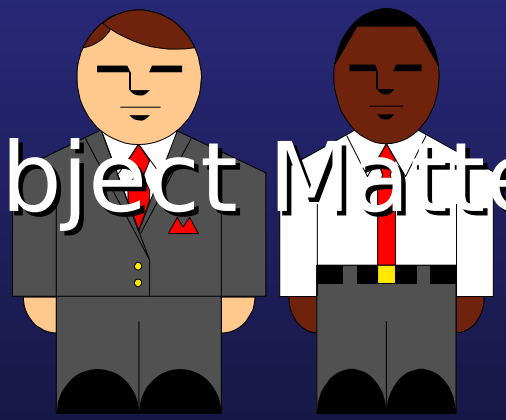
- Appointed By HCA
- Authority Defined by Warrant
- Sign, Administer, & Terminate Ks

PREPARATION - DEPLOYMENT K'TING

Personnel Assets

Ordering Officers

- Appointed by Chief of Contracting Office
- Authority Limited by Appointment Letter
- Mission Specific Subject Matter (mess, supply, etc)



PREPARATION - DEPLOYMENT K'TING

ADMINISTRATIVE NEEDS

References

- U.S.C., Titles 10, 31, 41
- FAR, DFARS, & Supps
- DFAS-IN 37-1, DOD Reg 7000.14-R
- CD-ROM Library or LEXIS/WESTLAW
- Internet

PREPARATION - DEPLOYMENT K'TING

ADMINISTRATIVE NEEDS

Contract Forms

- SF 26, 30, 33, 44, 1442
- DD 1155, DA 3953
- Standard Clauses and Translations

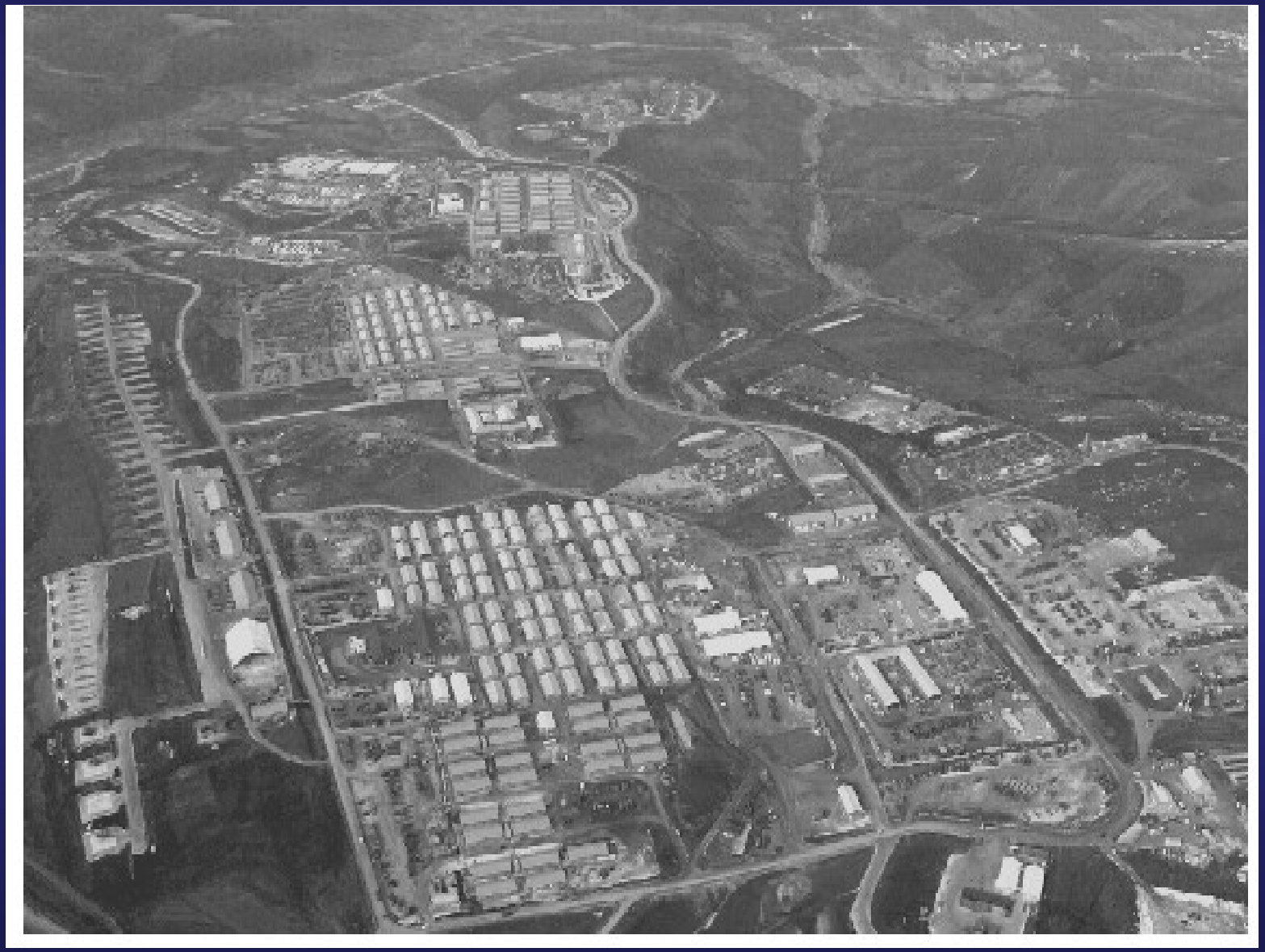
WISHING YOU WERE HERE..
SOMALIA

...AND HERE
HAITI

BOSNIA

PRESIDENTIAL PALACE
HAITI

Camp Bonsteel, Kosovo



USAF Life in in the field
Eskan Village

PREPARATION - DEPLOYMENT K'TING

FINANCE & FUNDING SUPPORT

PREPARATION - DEPLOYMENT K'TING

FINANCE & FUNDING SUPPORT

Certified Funding

- DA Form 3953: Purchase Request & Commitment (AF Form 9; NAVCOMPT Form 2276/2275)
- Bulk Funded "PR&C" Provided by FAO
- Certified Funds are Available fo

FISCAL LAW - DEPLOYMENT

K'ting During a Deployment

CICA

No automatic exception for deployments

DEPLOYMENT K'TING

ACQUISITION METHODS

- **Sealed Bidding**
- **Negotiated Procedures**
- **Simplified Acquisition Procedures!!**

Probably 90% of contracts *or more* during deployment operations

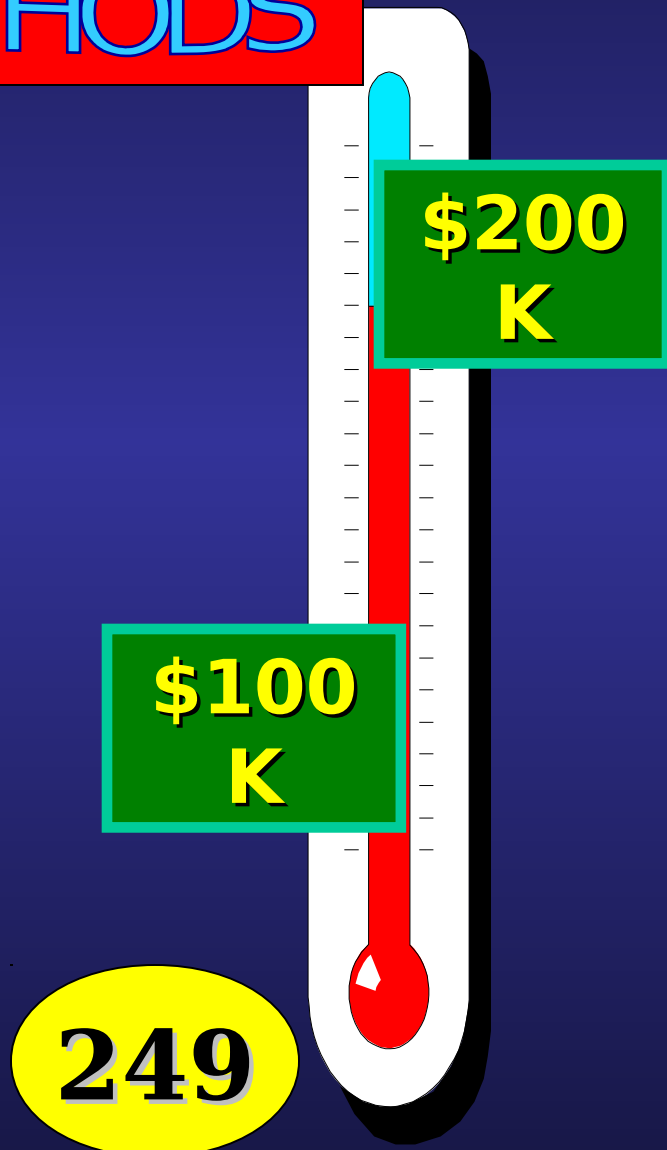
248-9

DEPLOYMENT K'TING

ACQUISITION METHODS

Simplified Acquisition Procedures

- **Normally Use for Contracts Up to $100K**
- **Limit is $200K During Designated Contingency**



DEPLOYMENT K'TING

SA METHODS

- Imprest Funds
- Purchase Orders
- BPA
- Gov't

250-1

SIMPLIFIED ACQUISITION METHODS

IMPREST FUNDS

- **$10,000**
- **Class A Agents**

SIMPLIFIED ACQUISITION METHODS

PURCHASE ORDERS

- **DD 1155** Order For Supplies or Services
  Contracting Officer **Must** Sign

- **SF 44** Purchase Order-Invoice-Voucher
  Ordering Officer **May** Sign

250

SIMPLIFIED ACQUISITION METHODS

BLANKET PURCHASE AGREEMENTS

- **Anticipated Repetitive Needs**
- **Establishes Terms & Conditions (Not a Contract)**
- **Contact Multiple Sources**

250

SIMPLIFIED ACQUISITION METHODS

Purchase Card

Use in Lieu of SF 44 or Imprest Fund

Types of Contractors in Theater

Joint Pub. 4

- **Theater Support Contractors**
  - **"Contingency Contractors"**
- **External Support Contractors**
  - **LOGCAP, AFCAP, CONCAP**
- **Systems Contractors**
  - **Weapons system, vehicle,**

DEPLOYMENT K'TING

USE of EXISTING Ks

- **LOGCAP K (DYNCORP)**
  - **World-Wide Coverage**
  - **Tied to Country Plans**
- **Bosnia Force Sustainment K (BRSC)**
- **AFCAP**
- **Other Existing Indefinite Quantity and Requirements Contracts**

DEPLOYMENT K'TING

LOGCAP

-Supply Operations

Class I to X

-Field Services

Bath, Food, Sanitation, MWR, etc..

-Other Operations & Services

Maintenance, Transportation, Construction

DEPLOYMENT K'TING

LOGCAP

Rapid Response Capability

-NTP + 3: ADVON Deploys

-NTP + 15: Receive & support 1,500/day

-NTP + 30: Receive 3,000/day, Bed-down 25k pax

-NTP + 180: Bed-down 50k pax

DEPLOYMENT K'TING

LOGCAP

- Cost Plus Award Fee K
- AMC: LOGCAP PM
- CECOM: LOGCAP PCO
- AF: AFCAP
- Navy: CONCAP

-Construction Only

DEPLOYMENT K'TING

LOGCAP

- **Commander's Influence**
- **ACO- Key link to performance**
- **Award Fee: 0-5% of contract cost**
  - **-Quarterly Award Fee Board**
  - **-CINC/ARFOR Members**
- **References**

DEPLOYMENT K'TING

ISSUES

- **Standards/Level of performance**
- **Contracting personnel:**
  - **-Training & Rotation**
- **Approval Levels**
  - **-New Work**
  - **-Recurring Work**
- **Rotational Changes: “Dragoon**

DEPLOYMENT K'TING

AFCAP K

- **Awarded to Readiness Management Support (RMS) on 4 February 1997**
- **Administered by AFCESA and the 325th Contracting Squadron, Tyndall AFB, Florida**
- **Available to any federal, state, or local government agency**
- **Ceiling over life of contract o**

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DEPLOYMENT K'TING

USE of EXISTING Ks

- **LOGJAMSS K**
  - **Logistics Joint Administrative Management Support Services**
  - **Task-Order/Multiple Award K**
  - **Provide Support to**

INTERNATIONAL LAW CONSIDERATIONS

254

During Combat: Confiscation & Seizure

INTERNATIONAL LAW CONSIDERATIONS

COMBAT

- **Confiscation: Permanent taking of enemy public property**
- **Seizure: Temporary taking of private or state property**
- **TACSOP procedures/ documentation**

INTERNATIONAL LAW CONSIDERATIONS

Occupied Territories:

- Confiscation & Seizur
- Requisition

254-5

INTERNATIONAL LAW CONSIDERATIONS

OCCUPIED TERRITORIES

- **Confiscation: Temporary taking of enemy public property for the duration**
- **Seizure: Private property- must compensate owner**
- **Requisition: Taking of private or state property to support the occupying force.**

Contractors on the Battlefield

Military Extraterritorial Jurisdictio
Act of 2000
18 USC §§ 3261-3267

Employed by/or accompanying the force (K'ors & dependents)

Title 18 Offenses Worldwide Felony Jurisdiction Federal District Court

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CONCLUSION

CONTRACT AND FISCAL LAW FOR DEPLOYING FORCES